REMARKS

Claims 1-5 and 7-20 are pending. Claims 1, 5, 7-15, 17, and 19 have been amended and claim 6 has been canceled. In the Final Office Action, claims 5 and 7-13 were indicated to be allowable. In this paper, these claims have been amended merely to provide antecedent basis for certain terms therein, which, for example, in the case of claim 7 includes changing the phrase "multimedia object" to "similar image." Claim 7 was also re-written into independent form. Since claims 5 and 7-13 were amended for clarification purposes only, it is respectfully submitted that these claims remain allowable.

As for claims 1, 14, and 19, the amendments to these claim were made to clarify the meaning of "whole" in the phrase "whole feedback information." Since this meaning was evident from the phrase "till now" in originally examined claim 3, it is respectfully submitted that the amendments to claim 1, 14, and 19 do not raise new issues requiring further searching or consideration by the Examiner. Entry of this amendment is therefore proper.

Reconsideration of the application is respectfully requested for the following reasons.

In the Final Office Action, the Examiner rejected claims 1-3 and 6 under 35 U.S.C. §103(a) for being obvious in view of a combination formed between the Ma and Liddy patents. Applicants traverse this rejection for the following reasons.

Claim 1 recites broadly the embodiments of the invention disclosed in the specification. As acknowledged in the Final Office Action, the Ma patent does not teach or suggest "whole feedback information based on the user relevance feedback obtained since formation of the data structure"as recited in claim 1. To make up for these deficiencies, the Liddy patent was cited.

The Liddy patent discloses a method for using a neural network to retrieve documents from a database. To keep the neural network up-to-date, the neural network is periodically re-trained based on user relevance feedback.

The Liddy patent does not teach or suggest "whole feedback information based on the user relevance feedback obtained since formation of the data structure" as recitedin claim 1. The Liddy patent discloses re-training its neural network based on user feedback in <u>intervals</u> of time. The time interval may be 15 minutes or may be defined based on the top "X" number of documents having the higheset retrieval value. (See column 12, lines 9-24). The whole feedback information of the claimed invention, however, is based on user relevance feedback obtained <u>since the time the data structure was formed</u>. The Liddy patent does not teach or suggest a multimedia data structure which stores user relevance feedback information since this time.

In the Final Office Action, the Examiner indicated that the phrase "whole feedback" was being interpreted as corresponding to a periodic time interval (citing column 13, lines 26-38). It is respectfully submitted that this interpretation is improper. The word <u>periodic</u> in the phrase "periodic time interval" indicates that only recent user feedback is used to update the Liddy neural network. (The word periodic refers to multiple periods of time, see *Random House Webseter's Unabridged Dictionary*, Second Edition, 2001). The "whole feedback information"of claim 1, however, refers to all the user feedback information received during a single period of time, which begins at the formation of the data structure. The Liddy patent does not teach or suggest storing information of this type. On the contrary, once an update is performed the Liddy method deletes the user feedback information so that more recent user feedback information may be used to re-train the neural

network at a later date. Thus, the Liddy patent not only does not teach or suggest the invention as defined in claim 1, it teaches away from the features in this claim.

Based on the foregoing differences, Applicants respectfully submit that a combination of the Ma and Liddy patents cannot render claim 1 or any of its dependent claims obvious. It is further submitted that combining Ma and Liddy in the manner indicated by the Examiner is improper.

Under MPEP § 2143.03, if modifying a primary reference to include features of a secondary reference would render the primary reference inoperable, the combination is improper for purposes of rejecting a claim under 35 USC § 103(a). This situation exists here. The Ma patent discloses method for retrieving images from an image database. The Liddy patent discloses a neural network used to search for HTML web pages. By combining Ma and Liddy in the manner proposed by the Examiner, a system would be produced where a neural network designed to search for HTML web pages (Liddy) attempts to perform this function in a database which stores only images (Ma). Since the Ma database does not have HTML web pages, combining Ma and Liddy in the manner proposed by the Examiner would produce an inoperable result As noted in MPEP § 2143.03, such a combination is impermissible for purposes of rejecting a patent claim under § 103(a).

For at least the foregoing reasons, it is respectfully submitted that the rejection of claim 1 is in error and should be withdrawn.

The Examiner rejected claims 4 and 14-20 under 35 USC § 103(a) for being obvious in view of a combination formed among the Ma, Liddy, and Cohen patents. This rejection is respectfully traversed for the following reasons.

Claims 14 and 19 cite the same features noted above which patentably distinguish claim 1 from a Ma-Liddy combination. In order to render claims 14 and 19 obvious, the Cohen patent must teach or suggest at least these features.

The Cohen patent discloses a browser for performing a keyword search of internet web sites. The Cohen patent does not teach or suggest a data structure for performing an image search which includes "whole feedback information obtained since formation of a data structure" along with recent feedback information as recited in claim 1. Based on these differences, it is respectfully submitted that a Ma-Liddy-Cohen combination cannot render claims 14 and 19 or any of their dependent claims obvious. Withdrawal of the rejection of these claims is therefore respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is respectfully requested.
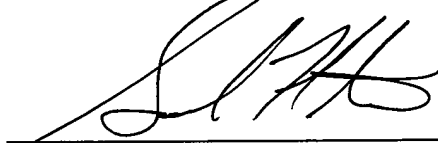
Should the Examiner believe that further amendments are necessary to place the application in condition for allowance, or if the Examiner believes that a personal interview would be advantageous in order to more expeditiously resolve any remaining issues, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in fees due in connection with this application, including extension of time fees, to Deposit Account No. 16-0607 (Attorney Docket No. HI-0019) and credit any excess fees to the same Deposit Account.

Respectfully submitted,

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